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DATE: March 1, 2005

TO: U.S. Patent and Trademark Office

FROM: Gregory J. Carlin
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* * * * OFFICIAL * * * *

In re: Gartrell

Appl. No. 10/822,959

Filed: 04/13/2004

For: HANDLE ACCESSORY FOR A MOBILE STATION AND
METHOD OF USING THE SAME

NO. OF PAGES:
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/822,959 Confirmation No.: 3600
Applicant(s): Gartrell
Filed: 04/13/2004
Art Unit: 2833
Title: HANDLE ACCESSORY FOR A MOBILE STATION AND METHOD OF
USING THE SAME

Docket No.: 042933/263967
Customer No.: 00826

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

The remarks below are in response to an Office Action dated December 16, 2004 and pertaining to the above-listed patent application. In the Office Action, Claims 1-3, 9-10, 13-16 and 20-21 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,220,319 to Kendel ("Kendel"). Claims 11-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kendel and *In re Leshin*. In addition, the Information Disclosure Statement filed April 13, 2004 was cited as not complying with 37 CFR 1.98(a)(2) by not including a copy of PCT Publication WO 89/01429.

Applicant has enclosed a copy of PCT Publication WO 89/01429 and submits that the Information Disclosure Statement now meets the requirements of 37 CFR 1.98(a)(2).

Kendel discloses an adaptable key holder 200 for a remote control transmitter 101, as shown in Figure 1A. Figure 1A, in particular, shows a person's hand 100 holding a remote control transmitter 101 in "a preferred orientation between the most frequently accessed button 102 and the key 103 connected by the key ring 104," as described at column 2, lines 10-15 of Kendel. In addition, Kendel states that the gripped orientation of Figure 1A is preferred. "This person would desire to pickup this device in this orientation based on what felt comfortable to him." See column 2, lines 15-17 of Kendel.